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**From:** Buffo, Corey [/O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=D5112A95233948D18E8EFF97D1D9C7F0-BUFFO, COREY]  
**Sent:** 5/20/2014 1:00:45 PM  
**To:** Fleisig, Erica [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=57317ce4c3234afe86380beab9c70bd9-EFleisig]  
**CC:** Chung, Angela [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=b3e49fcb1ad46f1bdbe92ebb4936350-Chung, Angela]; Szelag, Matthew [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=f1e48230d96943f8acb72810e32ce8d6-Szelag, Matthew]; Fabiano, Claudia [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=379018d37bed472fb39492197665cfca-Fabiano, Claudia]; Gallagher, Kathryn [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=a348a17672da45eb8deef9f452ac235-Gallagher, Kathryn]; Lehmann, Wade [/o=ExchangeLabs/ou=Exchange Administrative Group (FYDIBOHF23SPDLT)/cn=Recipients/cn=e5dd685dec4643478e64efb18c1b1429-Lehmann, Wade]  
**Subject:** RE: Corey: any issues sharing this WA criteria chart with NWEA?

I'm fine with you sharing, as long as none of this is subjective. That is, we are sure we can say it is less or more stringent and not a matter of comparing a number to a formula. Looks like you thought of that with copper. Not sure if others fall under that category. Thanks.

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**From:** Fleisig, Erica  
**Sent:** Monday, May 19, 2014 10:41 AM  
**To:** Buffo, Corey  
**Cc:** Chung, Angela; Szelag, Matthew; Fabiano, Claudia; Gallagher, Kathryn; Lehmann, Wade  
**Subject:** Corey: any issues sharing this WA criteria chart with NWEA?

Corey,

Per our discussion on 5/8 with Nina, we agreed to share a chart that R10 had compiled of the WA toxics criteria approved in the early 90's, and how those criteria compare to EPA's 304(a) criteria, as well as ID's and OR's criteria (and the results of consultation on those criteria to date).

Wade, Claudia and I are fine with sharing the attached chart with Nina. Next step is to share with David who will pass it to DOJ for sharing with plaintiffs. Do you have any concerns, or need to check with anyone else before we share?

-Erica

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**From:** Szelag, Matthew  
**Sent:** Tuesday, May 13, 2014 12:47 PM  
**To:** Lehmann, Wade; Fabiano, Claudia; Fleisig, Erica  
**Cc:** Gallagher, Kathryn; Chung, Angela  
**Subject:** RE: WA aquatic life toxics table

Thanks Claudia and Wade.

Regarding your questions:

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• **Deliberative Process / Ex. 5**

# Deliberative Process / Ex. 5

Thanks again,

Matthew Szelag | Water Quality Standards Coordinator  
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**From:** Lehmann, Wade  
**Sent:** Tuesday, May 13, 2014 9:13 AM  
**To:** Fabiano, Claudia; Szelag, Matthew; Fleisig, Erica  
**Cc:** Gallagher, Kathryn  
**Subject:** RE: WA aquatic life toxics table

Kathryn asked me to do a similar exercise including capturing RPAs from the BiOp, so I plan to review to make sure it captures what we are concerned with as well. Thank you for pulling this together, it helps a ton!

Wade

**From:** Fabiano, Claudia  
**Sent:** Tuesday, May 13, 2014 12:00 PM  
**To:** Szelag, Matthew; Fleisig, Erica; Lehmann, Wade  
**Cc:** Gallagher, Kathryn  
**Subject:** RE: WA aquatic life toxics table

Hey Matt,

Wow! This is so much better. Thank you! A few comments

# Deliberative Process / Ex. 5

Wade and Kathryn- are you planning to review? If so, by when can you look at this?

Thanks!  
Claudia

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Claudia Fabiano  
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Standards and Health Protection Division  
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202-566-0446

**From:** Szelag, Matthew  
**Sent:** Monday, May 12, 2014 7:09 PM  
**To:** Fleisig, Erica; Fabiano, Claudia  
**Subject:** WA aquatic life toxics table

Hi Erica and Claudia,

Attached is an excel spreadsheet that compares WA's aquatic life toxics criteria to our current 304(a) recommendations, Idaho's criteria and Oregon's criteria (along with ESA consultation info). There are 3 tabs – one for freshwater, one for marine water and one for Washington's footnotes to their criteria table. Be sure to scroll to the right to view the chronic comparisons.

I talked to Lisa about the ID criteria and I've talked to Kathleen about the OR criteria in the past (but unfortunately she's out this week to do a quick review).

Please circulate this at HQ for review and let me know if you have any questions. Thanks,

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